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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined seventh and eighth periodic reports of Germany

Addendum

Replies of Germany*

[Date received: 9 November 2016]

Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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1. The federal Government is responsible for those areas assigned to it under Basic Law, which stipulates a division of competencies in Germany, with the 16 Länder taking responsibility for certain tasks. The federal Government must and can assume that the Länder will fulfil this responsibility. The Länder agree that in some cases they can do so more successfully if they discuss and coordinate their activities, also to eliminate any disparities that might disadvantage certain population groups. To this end, there are various forms, such as conferences of specialized ministers, in which the federal Government participates as a guest. The Ministers of the Länder discuss and adopt common resolutions concerning gender equality in the so-called GFMK (Conference of Federal State Ministers for Women and Gender Equality). The "3rd Gender Equality Atlas for Germany" is a result of the efforts of the GFMK and addresses regional differences in the everyday lives of men and women in many aspects of society. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ) will publish it by the end of 2016 as a printed brochure and pdf in German and English. An interactive online map tool will also be available.

2. International treaties apply in Germany, based on the corresponding ratification laws, as federal laws. In any event human rights obligations under international law are fulfilled by Basic Law (in combination with the binding jurisprudence of the Federal Constitutional Court) and in various ways by ordinary national legislation. It is therefore not necessary to explicitly quote international human rights agreements when making corresponding decisions. The number of court decisions containing corresponding quotes is therefore by itself not a suitable indicator for assessing the implementation of CEDAW. For this reason, it should not be misinterpreted that a juris[1] search produces just four cases where CEDAW is invoked in court decisions. In fact, since the 1970s, the Federal Constitutional Court has made important decisions on the equality of women based on principle of equality laid out in Article 3 para. 2 of Basic Law. Decisions on equality are also frequently made at the ordinary judicial level without the need to invoke CEDAW.

3. As described in paras 16 and 17 of the seventh and eighth country report, the Länder are largely responsible for training judges and lawyers. Specific training is not considered necessary, as human rights treaties are implemented into national law. However, the German Judicial Academy, a facility funded by the federal Government and the Länder for the professional development of judges in all branches of the judiciary and public prosecutors nationwide, offers general human rights training programmes. The curriculum includes topics such as preventing and protecting victims of domestic violence, networking and fostering cooperation between law enforcement agencies and the corresponding public institutions and associations, or the rights of victims in criminal justice. In addition, the Länder also offer trainings for members of their own agencies. The large turnout proves the real interest and commitment of the legal professionals.

[1] Database/legal portal: http://www.juris.de/jportal/index.jsp.

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4. The scope of the General Equal Treatment Law (AGG) is limited to labour law and certain areas of civil law. It protects women against discrimination and harassment in the workplace (including sexual harassment) and in business. Furthermore, the AGG protects women employed in the domestic sphere. This form of protection is also guaranteed through other legislation to protect women and girls against discrimination, for example the Protection against Violence Act for private law protection against violence and harassing. In addition, discrimination can be considered an infringement of a person's fundamental privacy rights and of criminal protection law based on the law of torts under the German Civil Code. Pursuant to this, the unlawfully injured person is entitled, e.g. to claim damages against the culpable party. Depending on individual circumstances, insults, acts of bodily harm or harassment can also result in criminal proceedings.

5. Since 2006 the Federal Anti-Discrimination Agency (FADA) has registered 21,000 contacts or complaints, of which 14,000 were related to at least one ground of discrimination. 23 per cent were complaints of discrimination on sex or gender. No data exists on an increase or decrease in gender-related complaints.

6. The Federal Equality Law of 2001 (BGleiG 2001) was replaced by a law of the same name in 2015 (BGleiG 2015). BGleiG 2015 addresses above all the federal administration and federal courts. Its aim is to achieve gender equality, eliminate discrimination based on gender, and improve family-friendliness and the reconciliation of family life, care work and employment for women and men. The individual agencies, and above all their management and personnel management, are directly responsible for implementing the law's objectives. The law prescribes gender-equal human resources policies, including addressing both sexes in job announcements, equal representation on selection panels, and preferential treatment of women in training, recruitment/promotion and appointment to managerial positions where qualifications are equal, as long as women are under-represented. Each agency must specify in a regularly updated Equality Plan how it plans to achieve the aims of the law. At agencies with at least 100 employees, female employees elect an equal opportunities officer, who monitors compliance with BGleiG. Equality statistics and an equality index ranking of top-level federal authorities document the status of gender equality (see Annex, Tab. 1).

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7. Under Art. 27 sect. 2 of the General Equal Treatment Act, the Federal Anti-Discrimination Agency (FADA) shall give independent assistance to persons addressing themselves to FADA. Any person who believes he or she has been discriminated against on the grounds of sect. 1 of the General Equal Treatment Act may put forth their case to FADA. It offers independent counselling by providing legal information, arranging advice from other authorities, like NGOs, trade unions or parliamentary commissioners, and bringing about out-of-court settlements after a mediation procedure by asking for submissions which are compulsory for all federal authorities and other federal public offices to assist FADA in carrying out its tasks. As a result, FADA has broad powers and responsibilities defined by law to enable it

to fulfil its tasks and effectively combat discrimination. In addition, under their articles of association, anti-discrimination associations are authorized to appear in court proceedings as advisors to victims of discrimination in accordance with sect. 23, para. 2 AGG and are permitted to provide legal services to them.

8. On 9 August 2016, FADA presented an external evaluation report on the AGG containing numerous recommendations for changes to AGG. These recommendations must now be carefully examined by the federal Government.

9. The Länder of Berlin, Rhineland-Palatinate, Schleswig-Holstein and Hesse have created Anti-Discrimination Agencies. This is of interest in the field of education, for instance, which lies in the competence of the Länder. Since FADA has no branch offices in the Länder, it has designed a funding project for counselling NGOs. Since 2013 FADA strengthens local support for victims of discrimination. The funding programme "Counselling Services against Discrimination" aims to support networks and counselling structures which serve as hubs of anti-discrimination work within their regions. The programme pursues a former FADA programme "Networks against Discrimination", programme had encouraged the formation of ten model networks of anti-discrimination work from 2012 to 2014. The aim was to strengthen regional advisory services for victims through networking and to close gaps in the counselling landscape.

10. In terms of administrative organization, FADA is attached to the BMFSFJ and is funded by it. Its financial resources correspond to those of comparable authorities. The exact figure allocated to FADA as a proportion of the federal budget has no informative value in this regard. FADA is independent in exercising its statutory mandate in accordance with AGG. Following an establishment phase with corresponding preliminary resources, an evaluation of FADA was carried out in early 2011, which revealed a need above all for additional human resources. As a result, the federal Government has steadily increased FADA's budget and staffing since 2011. For example, its budget increased from 2.64 million euros in 2011 to 4.3 million euros in 2016. In terms of human resources, FADA had 17 positions in 2011 compared to 26 in 2016. This clearly shows the efforts of the federal Government to provide FADA with adequate resources to fulfil its tasks.

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Gender mainstreaming

11. According to the Joint Rules of Procedure of the Federal Ministries (GGO), which govern the principles of the organization of the federal ministries, of cooperation between them and the constitutional agencies, and of business with external parties, the equality of men and women is a "consistent guiding principle and should be promoted by all political, legislative and administrative actions of the Federal Ministries in their respective areas (gender mainstreaming)" (sect. 2 GGO). GGO stipulates that in substantiating the draft legislation, the regulatory impacts must be shown (sect. 43(1)(5) in conjunction with sect. 44) including the main impacts of the law, covering its intended effects and unintended side-effects. At the same time, the significance of the regulation for gender equality policy must be taken into account. According to sect. 45 (1) in conjunction with annex 6 No. 9 a GGO, the lead Federal Ministry is obligated to involve BMFSFJ at an early stage in

any preliminary work on, or drafting of, a bill, if it is expected to affect matters of gender equity policy.

12. Regarding the objectives and content of BGleiG described in para. 18 of the report, we refer to the response under para. 2. To achieve the objectives of the law, gender mainstreaming is the consistent guiding principle in all of the agency's functional areas and decisions and in cooperation between agencies. If the agency violates the provisions of the law, the equal opportunities officer can file an objection, on which the agency, or if rejected the next-higher agency, must adjudicate. If the objection is unsuccessful, the equal opportunities officer has the right to take legal action.

13. The federal Government has submitted a report on gender equality in each legislative period starting with the last, based on the expertise of an independent expert commission. The report examines the gender equality situation in Germany and proposes measures to further improve it. The federal Government states its position. The gender equality report is also widely discussed by the general public. The recommendations are incorporated into the democratic decision-making process.

Gender budgeting

14. The Federal Ministry of Finance does not consider "gender budgeting" in the context of the federal budget to be a suitable instrument for implementing gender equality. Therefore, no measures have been taken to implement it at a national level.

15. As part of German bilateral and multilateral development cooperation, gender-responsive budgeting is an important instrument for implementing international obligations, such as the Addis Ababa Action Agenda, to attain gender-responsive development financing. Under the Development Policy Action Plan on Gender Equality 2016-2020, German development policy pledges to promote capacity-building in partner countries in this area as part of its good financial governance programmes and to report on them.

LoI pp. 5

16. Germany firmly supports the UN Guiding Principles on Business and Human Rights ("Ruggie principles"), which supplement the state's duty to protect human rights with a corporate responsibility for human rights. The subject has been widely discussed in Germany, for instance in connection with the working conditions of seamstresses in textile factories in South Asia. Many German companies have already acknowledged their responsibility and are committed to their employees' rights in their own factories and along the supply chain, and to the rights of third parties. The federal Government is currently drawing up a National Action Plan on Business and Human Rights to implement the Ruggie principles. The National Action Plan should actively contribute to improving the human rights situation along international supply and value chains.

17. Decisions on arms export control are strictly taken on a differentiated case-by-case basis. Therefore, no strategic dialogue on arms exports exists. However, political decisions on export controls always involve examining the risk of abuses in

connection with human rights violations, including gender-related violence. Applications for exporting goods are not approved if there is a risk of them being used to trigger, extend or intensify internal conflicts.

18. Protecting and strengthening the rights of women and girls, as well as gender equality, are explicit goals of, and the driving force behind German development policy. They are therefore a universal obligation for all policy fields, political instruments and strategies of German development cooperation. The Federal Ministry of Economic Cooperation and Development (BMZ) pursues a three-pronged approach of empowerment, gender mainstreaming and addressing gender equality in high-level bilateral and multilateral political discussions on development policy and in political consultation. Priority strategic objectives include empowering women and girls in rural development, agriculture and food security, ensuring their participation in systems of agriculture and food production, and promoting their active involvement in value chains, e.g. in the project "Promoting vocational training for women in rural areas of Africa" as part of Germany's ongoing commitment to supporting pan-African reform processes in agriculture economics.

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19. The federal Government regularly implements measures to achieve real and sustainable gender equality, as stated in the seventh and eighth country report and the responses to the List of Issues. These include legal reforms implemented in 2016 to improve the protection of women against violence and to combat human trafficking (see individual statements on the questions posed by the Committee in paras. 10-13) as well as relevant positive steps and legislative procedures to improve the situation of women in the labour market (see details in para. 15).

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20. "Girls' Day" and "Boys' Day" are being continued as is "Komm mach MINT" ("be STEM").

21. A website on More Men in Early Childhood Education and Care (ECEC) (Männer in Kitas) aimed at opening up ECEC to men and raising the number of men active in this field is online so that boys and girls profit from having both male and female role models. A special website on all subjects concerning "gender" for boys and girls, by boys and girls was created in 2013 (www.meintestgelaende.de), which focuses mainly on the activity of boys and girls themselves. The project has participants discussing all kinds of gender-related topics. A Facebook group for specialists working with boys and/or girls has developed, providing daily information and news on studies, films, blogs, controversies, etc. and offering a platform for exchange on these issues to more than 2,700 specialists.

22. A new initiative on gender-sensitive career counselling is to mainstream the gender issue among all those involved, particularly career counselling institutions and professionals, schools, employers and parents. Presently, a variety of stakeholders are discussing possible solutions, best practice examples and potential

alliances. A national cooperation including a wide range of these stakeholders will be underway by the end of 2016.

23. Currently, the federal Government is promoting two projects related to transgender people and the media: "Trans*Visible — Support and Knowledge for Acceptance against Violence", with a media campaign, platform and tools; and "Diversity Box" by the Archive of Youth Cultures. It also provides funding for Lambda, a youth network active in this area, e.g. four media workshops for transgender children and adolescents.

24. Every year the Deutsche Werberat receives between 200-300 complaints about sexually discriminating advertising in the media from private persons, institutions or companies. About 30 per cent of them are sanctioned.

25. After the successful federal pilot project "Anonymised Application Procedures", four Länder have completed, and three more Länder have announced, similar projects. "Such application procedures are a good opportunity for furthering intercultural recruiting." (resolution of the 10th Conference of the Ministers of Integration 2015).

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26. According to criminal justice statistics, subject-matter series 10, series 3, one criminal offender was convicted under sect. 237 (1) (forced marriage) of the German Criminal Code in 2014 (2012: 1 conviction; 2013: 1 conviction). More recent criminal justice statistics are not available. On 31 July 2016, 1,475 foreign national minors living in Germany with the status "married" were listed in the Central Register of Foreign Nationals (AZR), of whom 1,152 were female, 361 were under 14 years of age, 120 were between 14 and 16, and 994 were between 16 and 18.

27. Based on international requirements and the recommendations of a working group set up by the Federation, Länder and NGOs to overcome female genital mutilation (FGM) in Germany, BMFSFJ supports a project to collect statistics on the issue in Germany. The following results are expected: Data on prevalence rates, findings and attitudes on FGM in selected cities, an overview of current activities, mapping of requirements and proposals for intervention and preventive measures at national and local levels. The final report is due in late 2016.

28. BMZ is working continuously to overcome FGM worldwide both through bilateral and multilateral political dialogue and in cooperating with countries affected by this harmful practice themselves. German development policy pursues a holistic approach: Information, awareness raising and dialogue are combined with the strengthening of governmental and civil society organizations and policy advice at national, regional and international levels.

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29. The Inter-Ministerial Working Group on Intersexuality/Transsexuality (IMAG), set up in September 2014 under the aegis of BMFSFJ, deals with the four

questions in detail. The discussions in IMAG are still ongoing. The results are expected in a final paper by the end of the legislative period in summer 2017.

30. It is the responsibility of the scientific and medical professional associations and in particular the German Medical Association or the Medical Associations of the Länder to ensure that legal and medical standards are applied effectively in line with good medical practice for approving medical and surgical treatment for intersex people. For example, the German Medical Association published a statement "Providing for Children, Adolescents and Adults with Differences/ Disorders of Sex Development (DSD)" on 30 January 2015 and 27 March 2015 in the weekly journal "Deutsches Ärzteblatt", thus communicating it to all medical professionals. In addition, a revised version of the "Disorders of Sex Development" guideline was published by the Working Group of Scientific Medical Societies (AWMF) in August 2016.

31. Furthermore, IMAG discussed the 18 recommendations of the German Ethics Council (DER) on medical treatment for intersex people with a representative of DER, focussing on the recommendation to only carry out gender-determining operations, which an affected person cannot decide on their own behalf, if they are undeniably in the best interests of the child. Banning surgery on intersex minors before they are able to give their consent is discussed for reasons of child welfare, also considering to what extent existing prohibitions in criminal and civil law apply or need to be extended. The discussion in IMAG is still ongoing.

32. IMAG has no information on cases of medical or surgical treatment where the intersex person has not effectively given their consent. To obtain further qualitative and quantitative data on surgery and its concomitant circumstances on children with congenital disorders of sex development, BMFSFJ commissioned the Ruhr University of Bochum to draw up a secondary report on the "Topicality of plastic surgery on "intersexual genitals" in children". As the responsible ministries for possible child welfare provisions, Federal Ministry of Justice and Consumer Protection (BMJV) and BMFSFJ sent a supplementary questionnaire to all clinics in the German Hospital Directory (DKV). The results are not yet available. DER recommended setting up a compensation fund. Within IMAG, it is agreed that this recommendation requires careful examination.

33. Education and training for medical and psychological professionals is specifically the responsibility of the scientific and medical professional associations, the German Medical Association or the Medical Associations of the Länder, and other relevant professional associations. The federal Government can also emphasize aspects and thus initiate processes. With this in mind, BMFSFJ funded a guideline for counselling centres who advise intersex and transgender people and :heir relatives[2] via the federal association pro familia to raise awareness of sexual diversity among medical and psychological professionals as well as other professional groups, such as midwives, carers and family counsellors.

34. Informing patients and their parents before surgical and other medical interventions conforms to civil law provisions relating to treatment contracts. The treating physician is obligated to inform the patient about all relevant facts for their consent. These include in particular the type, scope, implementation, expected

[2] http://www.bmfsfj.de/BMFSFJ/gleichstellung,did=223968.html.

consequences and risks of the measure, as well as its necessity, urgency, suitability and the chances of success regarding the diagnosis or therapy. Alternative treatment should also be suggested if several comparable methods that are medically indicated and common can result in significantly divergent stress factors, risks or chances of recovery. In addition, the duty to inform patients is a basic principle of the medical profession.

35. Generally speaking, there is a need to further expand counselling and support for intersex people and their relatives. To determine the status of and need for specific counselling and support schemes, BMFSFJ commissioned the Institute for Sexual Research and Forensic Psychiatry at the Centre of Medical Psychology at the University Medical Centre Hamburg-Eppendorf to conduct a survey in mid-2015. People with different disorders of sex development, their parents and interest groups as well as peer advisors and experts of various professions were interviewed on their own counselling experience, counselling and training needs and the possibilities and conditions for developing need-based counselling structures. The results were presented in November 2015 at a public panel discussion hosted by BMFSFJ and can be accessed online.[3] In addition, the survey on counselling structures is currently being evaluated at the European level with a shorter questionnaire. BMFSFJ has also published a flyer for parents "Girl? Boy? — My Intersexual Child".[4]

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36. In addition to introducing the concept of non-consensual sex mentioned by the Committee (revised German Criminal Code (StGB-E), sect. 177 (1)) the new law to strengthen the protection of sexual self-determination also criminalizes the following other acts violating the victim's sexual self-determination. The law has been adopted in the Bundestag and Bundesrat and should enter into force shortly.

37. In accordance with sect. 177 (2) (1) StGB-E, anyone who performs a sexual act on another person or allows it to be performed on himself, or coerces this person to engage in or tolerate sexual acts on or by a third party, shall be liable to imprisonment of six months to five years if the offender takes advantage of the fact that the person is incapable of resistance. This protects people who are absolutely unable to convey their objection due to illness or disability, but may also be appropriate if the victim is highly inebriated or has been drugged.

38. Equally, anyone who takes advantage of the fact that a person is considerably restricted in conveying their objection due to their physical or mental state shall be punished in accordance with sect. 177 (2) (2) StGB-E, unless the offender has secured the consent of the person to engage in the sexual act.

39. Finally, according to sect. 177 (2) (3) StGB-E, anyone who uses an element of surprise to commit the act shall be similarly punished.

[3] http://www.bmfsfj.de/RedaktionBMFSFJ/Abteilung2/Pdf-Anlagen/kurzzeitbefragung-intersexualitaet,property=pdf,bereich=bmfsfj,sprache=de,rwb=true.pdf.

[4] http://www.bmfsfj.de/BMFSFJ/Service/volltextsuche,did=222224.html.

40. Furthermore, under sect. 177 (2) (4) StGB-E, an offender can be brought to justice if he takes advantage of a situation in which the victim is threatened with violence in the event of resistance. In accordance with sect. 177 (2) (5) StGB-E, coercing a person to perform or tolerate a sexual act by threatening violence is also liable to prosecution.

41. Against this backdrop, the version of the draft law adopted by the Bundestag to improve sexual self-determination provides efficient and sufficient protection for victims who are either incapable of resistance (sect. 177 (2) (1) and (3) StGB-E) or considerably restricted in conveying their objection (sect. 177 (2) (2) StGB-E).

42. In addition, on 13 July 2016, the federal Government adopted a draft law to enhance protection against harassment. The purpose of the planned amendments is to protect victims more effectively, as punishment for harassment currently depends on whether the act has a severe negative impact on the victim's way of conducting his/her life.

43. The draft law transforms a result crime into a conduct crime. In future, anyone who persistently harasses another against their will in a way that is objectively likely to profoundly impact the victim's way of conducting his/her life will be punishable by law. In addition, stalking as a criminal offence will be deleted from the catalogue of private action crimes. Furthermore, the draft law proposes the introduction of a court-confirmed settlement in proceedings concerning matters of protection against violence. The violation of an obligation set forth in a court-confirmed settlement shall be subject to penalty, thus establishing coherence with court protection orders which are already protected under criminal.

44. For the training programmes on domestic violence offered by the German Judicial Academy, see para 1.

45. Health care is a very important part of helping women who have experienced sexual violence or violence in a relationship. For many women, asking for help at all is a bold step. It is therefore all the more important that these women are looked after by sensitised medical staff. The Federal Ministry of Health (BMG) has therefore funded the German translation of the WHO clinical handbook ("Health care for women subjected to intimate partner violence or sexual violence"). The clearly laid out recommendations in the handbook are a valuable tool for health-care professionals.

46. The federal Government is currently preparing ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and will present the draft law to ratify international legislation once all requirements of the Convention have been fully implemented in German law. The federal Government intends to ratify this important convention in the current legislative period.

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47. The federal Government has implemented over 130 measures under its own responsibility as part of the Action Plan II to Combat Violence against Women. Due to the large number and heterogeneity of the measures (including e.g. lawmaking and networking), no information can be provided on the overall resources required

for implementation. A key element of the action plan was the violence against women support Hotline set up in 2013 as an around-the-clock, multilingual and anonymous advisory service that helps callers to find local support facilities. This has been well received by victims of violence, their friends and relatives, and professionals.

48. Based on the federal Government's action plans, regional and local governments have also continued and intensified their efforts to combat violence against women under their own jurisdiction, for example with action plans and packages of measures, ensuring that the objectives of the federal Government's Action Plan II are effectively supported through cooperation between public agencies, NGOs and associations.

49. Since 2011, it has been easier to document domestic violence as a criminal offence thanks to police crime statistics (PKS). Further details on suspects, victims and the relationship between them are now registered in the PKS in a nationally standardized format, making it possible to differentiate the investigation and documentation of domestic violence crimes by current/former partners and allocate them according to partners who live together/do not live together. The first situation report on violence in partner relationships will be available in November 2016.

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50. On 15 October 2016, the law to reinforce the fight against human trafficking and to amend the Federal Central Register Act as well as Book VIII of the German Social Code took effect.

51. The law includes the necessary legislative measures to implement Directive 2011/36/EU to prevent and combat human trafficking and protect victims. In addition, the law includes:

(a) A revised version of the rules of criminal law on human trafficking. The following amendments are:

(i) A revision of "human trafficking" in the German Criminal Code (StGB);

(ii) The criminal offences "forced prostitution" and "forced labour" to uphold existing protection against exploitation under criminal law, which includes the indispensable provisions of the previous sects. 232, 233 StGB;

(iii) New criminal offences "exploitation of workers" and "exploitation by means of imprisonment" to enhance criminal law protection against exploitation;

(b) A provision to bring "clients" of sexual services to justice, whereby exploiting the victim's plight for sexual intercourse is punishable. If the culpable "client" voluntarily reports human trafficking or forced prostitution to the responsible authority, or ensures that it is reported, this constitutes a personal reason to overturn the sentence.

52. As part of the first evaluation round for monitoring implementation of the Council of Europe Convention on Combating Human Trafficking by Germany, the federal Government presented the Group of Experts on Action against Trafficking in

Human Beings (GRETA) with a detailed report on steps taken by it and the Länder, including measures to identify victims of human trafficking and for criminal persecution. It refers to the report of the GRETA Committee on Germany from June 2015 (GRETA(2015)10).

53. The Länder are responsible in the first instance for police investigations relating to human trafficking. The tasks and priorities of the police depend on local circumstances. Accordingly, it is impossible to draw general conclusions as to whether police presence in local "red light districts" has or should be increased, or whether e.g. undercover measures have been carried out.

54. It should be mentioned that Germany is intensively involved in EMPACT in the EU.

55. BMFSFJ has supported the nationwide Network and Coordination Office against Trafficking in Human Beings (KOK) since 1999. KOK, which incorporates the majority of counselling centres, organizes training programmes, e.g. for law enforcement authorities and other professional groups. They are also trained to identify victims and put them in contact with the existing support system in Germany. KOK now intends to develop a training concept that could also be used by specialized counselling centres. A long-term partnership exists between KOK and the Federal Criminal Police Office, including support for training programmes. In addition, (at least) 13 Länder have cooperation agreements that govern cooperation between police and the counselling centres. The federal working group on human trafficking set up by the federal Government, which includes representatives from the Laender and NGOs, also promotes cooperation between governmental and non-governmental agencies.

56. With regard to combating trafficking with minors, BMFSFJ is working on a new cooperation concept to guarantee adequate protection and comprehensive relief efforts for potential and actual underage victims of human trafficking, regardless of the purpose and form of exploitation. At the same time, the national cooperation concept should contribute to effectively combatting this crime.

57. The federal Government has taken steps to guarantee effective protection and help for women and girls in German refugee accommodation centres and beyond. For example, police crime prevention in the Länder and the Federation as well as the German Crime Prevention Forum have developed a concept to promote the safety of migrant women and children in shared accommodation.

58. In addition, the federal Government set up a special programme together with the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation, KfW) in March 2016 that offers municipalities interest-free loans to finance corresponding constructional measures in refugee accommodations. A total of 200 million euros are available for such measures.

59. Furthermore, BMFSFJ together with UNICEF, the Federal Association of Independent Welfare Organizations (BAGFW) and the relief organizations Plan International and Save the Children has started an initiative to protect children and women in refugee accommodation. The aim is to develop protection concepts and implement them nationwide in reception centres and refugee accommodation. As part of this initiative, "minimum standards to protect children, adolescents and

women in refugee accommodation" have been developed and published.[5] They establish the first uniform, nationwide basis for improving protection against violence for children, adolescents and women and access to education and psychosocial support in refugee accommodation.

60. Another focus is on information and awareness-raising to ensure that women and girls in refugee accommodation know about their rights and existing counselling and protection schemes in Germany. The violence against women support Hotline mentioned above, which offers free, barrier-free and around-the-clock advice in 15 languages, also for victims of human trafficking, and the nationwide coordination organizations against violence against women and human trafficking contribute to this significantly.

61. The federal Government together with the Länder is currently considering the specific need for federal legislative action to protect women and children in refugee accommodation.

62. The Federal Office for Migration and Refugees, responsible for the asylum procedure in Germany, has special representatives who interview particularly vulnerable people in the asylum process. They are specially trained decision-makers, who are employed in the asylum process to deal with particularly vulnerable people such as unaccompanied minors, victims of torture, traumatised individuals and people persecuted on grounds of gender, as well as victims of human trafficking.

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63. To improve working conditions in legal prostitution and protect prostitutes against exploitation, forced prostitution and human trafficking, the German Bundestag passed a law on 7 July 2016 to regulate the prostitution trade and protect sex workers (ProstSchG). It provides comprehensive regulations for prostitution for the first time. The aim is to create a legislative basis for guaranteeing contractual working conditions, protecting the health of prostitutes, and combatting crime in prostitution, such as human trafficking, violence against and the exploitation of prostitutes, and procuration. The legislative procedure is completed on 27 October 2016 the law will enter into force on 1 July 2017. Core elements include a license to operate a brothel and the obligation to register employment as a prostitute with the authorities. Licenses are granted on condition that certain minimum requirements are fulfilled to protect the health and safety of prostitutes and third parties, and that the operator is personally reliable. Registration as a prostitute is valid for two years (or one year for those under 21). Registering is accompanied by an in-depth informative and counselling interview. Furthermore, before starting work and once a year thereafter (or every six months for those under 21), prostitutes must receive medical counselling from a local health service.

64. The outcome of the expert event "Regulation of Prostitution and Places of Prostitution—A Practicable Way to Improve the Situation of Prostitutes and Combat Human Trafficking?" mentioned by the Committee was taken into account in developing ProstSchG.

[5] http://www.bmfsfj.de/BMFSFJ/gleichstellung,did=226884.html.

65. Voluntary prostitution by adults has been legal in Germany for many decades. The provisions of ProstSchG should improve the conditions for legal prostitution and thus the situation for sex workers, for example by refusing to grant an operating license if the operator is not reliable, or withdrawing the license.

66. The law to reinforce the fight against human trafficking, that took effect on 15 October 2016, includes a provision on the culpability of clients of sexual services (see Para. 12).

67. A multi-year model project funded by the federal Government to support women wishing to leave prostitution was adopted in October 2015. The project underlined the significance of specific counselling and support schemes for prostitutes. A systematic approach ensured reliable cooperation between those responsible for the project and partners, such as providers of training and education, employers, job agencies and other authorities at the model sites. The project generated specific recommendations for setting up schemes to help women leave prostitution and developing them further at a political level by the responsible Länder, municipalities and regions.

68. There are no statistically reliable findings on the number of prostitutes in Germany to date. The same applies to the number of victims of forced prostitution. The report "Trafficking in Human Beings - National Situation Report 2015" published annually by the Federal Criminal Office only includes data on reported cases of human trafficking known to the police [see Annex Tab. 2].

69. ProstSchG envisages the introduction of federal statistics to provide valid data on the number of registered prostitutes and brothels for the first time.

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70. BMFSFJ set up the Helene Weber College as the first national, non-party platform for committed women in politics as part of its efforts to increase representation of women in political leadership and decision-making positions, above all in local politics. Recent figures on the current allocation of mandates in local politics are very difficult to generate due to Germany's federal structure.

71. From January 1 2016 on, according to the provisions of the Act on the Participation of the Federation in Appointments to Bodies (BGremBG), additional quota regulations apply to supervisory boards, for which the Federation is entitled to at least three seats, and essential bodies, to which the Federation is entitled to send members. With regard to these boards and bodies, the Government is obligated to gradually reach and maintain a gender quota of 30 per cent in supervisory boards. As of 2018, the goal is to increase to a gender parity of 50 per cent. Since 2015 an annual report on gender parity in supreme federal authorities has been issued to monitor the progress of increasing the participation of women in management positions. Sect. 38 (3)(1) BGleiG instructs the Federal Statistical Office (Destatis) to survey the gender ratio in specific categories within federal departments every two years. In 2015, the first annual gender equality index (Gleichstellungsindex), reflecting the state of gender parity in supreme federal authorities, was issued to monitor the progress.

72. For several years, approximately as many women as men have been accepted to train for various careers in the Federal Foreign Office (see Annex Tab. 3a to 3c).

73. The share of women in the judiciary has grown since 31 December 2012. On 31 December 2014, 42.51 per cent of the 20,000 Länder judges were women.[6] The share of women in high-level positions in the Federal Office of Justice has also risen steadily for years. Currently (1 September 2016), 125 women work as judges at federal courts or as public prosecutors at the Federal Prosecutor General. These include 29 female judges at the Federal Patent Court (23 in pay grade R2; 6 in R3), 40 at the Federal Court (36 in R6 out of a total of 116; 4 as presiding judge in R8 out of a total of 16 presiding judges), 15 at the Federal Administrative Court (13 in R6 out of 44 judges; 2 presiding judges in R8 out of a total of 9 presiding judges) and 15 at the Federal Finance Court (12 in R6 out of 48 judges; 3 as presiding judges in R8 out of a total of 9 presiding judges). Twenty-five women are currently employed as public prosecutors at the Federal Prosecutor General, including 8 in R2, 10 in R3, 6 in R6 and one in R7.[7]

74. According to the Law on the Equal Participation of Women and Men in Leadership Positions in the Private and the Public Sector, which came into force on 1 May 2015, appointing a new member to the supervisory board of listed companies that are subject to parity codetermination, has been subject to a mandatory gender parity quota of 30 per cent since 1 January 2016. This gender quota should be achieved by the end of 2020, when all regular supervisory board elections have taken place in the relevant companies. If the gender quota is not observed in the composition of the supervisory board, the post remains vacant as a sanction (empty chair policy). In addition, listed companies and/or companies with employee participation must specify targets for the share of women in management committees (management board and, if applicable, supervisory board) and at the top two management levels under them. The companies are obligated to set the target and issue a report in which the targets must be stated and if necessary the reasons for not attaining them. A violation of the reporting obligation can be subject to a fine of up to 50,000 euros.

75. A project "Medical Women on Top" was conducted by the German Association of Female Medical Doctors with the aim of documenting the representation of women in leadership positions in the main clinical disciplines at German university hospitals. It reveals the low representation of women in top positions at German university hospitals. On average, the share of women in leadership positions is 10 per cent, varying between 3 per cent and 16 per cent in different disciplines. Germany-wide, 31 per cent of senior physicians at university clinics are women. 16 per cent of those who are qualified as university professors including middle management and senior physicians are women. A follow-on study is planned to differentiate and specify the results.

76. The project IMAGE — Inclusion of Migrants for Greater Recognition, Equality and Efficiency aimed at improving the opportunities for highly qualified migrants in the German labour market through dialogue with companies, among

[6] Measured as a share of manpower, not headcount.

[7] R2 is the lowest pay grade, R 10 the highest.

others. The research project Migrants in Leadership Positions[8] examined the success factors and barriers affecting qualified migrants in achieving top positions in business and science. Recommendations for improving support for professional and career development as well as for organizational structures and cultures that promote this were derived.

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Women in gainful employment

77. The unemployment rate (ILO definition) of women in Germany was 4.2 per cent in 2015, and thus below that of men (5.0 per cent). Since 2011, the proportion of unemployed women, referred to the total female labour force, decreased by 1.4 percentage points (cf. Annex Tab. 4).

78. The total number of atypically employed is declining slightly. The number of atypically employed women also decreased from 5.5 million in 2011 to 5.3 million in 2015, affecting all forms of atypical employment (some categories overlap). In particular, the number of women working part-time up to 20 hours per week likewise decreased — in favour of part-time employment over 20 hours per week in some cases (cf. Annex Tab. 5).

79. The employment rate of women (aged 20-64) was 73.6 per cent in 2015 and thus significantly above the EU average. At 76 per cent, the employment rate of women with German citizenship was considerably higher than that of women holding foreign citizenship (55 per cent). The employment rate has risen since 2011 for both these groups (cf. Annex Tab. 6). Cf. Annex, Tab. 7, for the employment rates of 18-64 year-olds by gender and sub-groups with reduced earning capacity.

Equal pay

80. The statistical gender wage gap in Germany, referring to the average hourly wage, is 21 per cent (East: 8 per cent/West: 23 per cent, source Destatis 2015), i.e. the statistical wage gap is documented macroeconomically. The following programmes aim at awareness and sensitisation, open up new areas for action and activate critical stakeholders.

81. The federal Government wants to better apply the principle of "same pay for the same or equivalent work". The coalition agreement provides that companies with over 500 employees should be required in their management report, under the Commercial Code, to state their position on promoting women and equal pay in line with statutory criteria. Employees of both genders in companies with more than 200 employees should be given an individual's right to information. Companies with collective agreements or companies that have a work council and apply a collective agreement should be privileged. Companies in future are to be required to apply binding methods for eliminating proven pay inequity on their own responsibility at least every five years and to include employees and their in-company representatives in the process.

[8] http://www.migrantinnen-in-fuehrung.de/index.php?page=projekte.

82. Additionally, the federal Government wants to launch an initiative with management and labour to identify and overcome patterns of structural pay inequity in collective agreements. Finally, BMFSFJ recommended establishing a dialog between management and labour to generate ideas for improving women's income opportunities. This collaboration between legislators, the economy and unions is designed as a dialog process, scheduled to continue through the end of the eighteenth legislature.

83. Through the following initiatives with civil society and management/labour, the federal Government aims to sensitize relevant stakeholders to the issue and mobilize them, beyond those already listed in the CEDAW report (EPD, EVA job evaluation list, collective bargaining and equal pay, Deutscher Landfrauenverband (association of rural women), ILO, etc.):

84. The project "What do women deserve? Economic independence!", run by BMFSFJ in cooperation with the German Trade Union Confederation's (DGB) National Executive Board, aims to strengthen women's economic independence. It targets young women transitioning from school to work, and women coping with transitional situations in the family phase.

85. Flanking the "Equal Pay" project in place since 2013, FADA in January 2016 launched a project with EU funding to develop an equal treatment check (e.g.-check), a tool companies can use to verify gender equality in the area of employment and working conditions.

86. On the initiative of the federal Government, the Bundestag in recent years has adopted various statutory provisions to promote equality between women and men in the employment world, including the introduction of the general, statutory minimum wage, expanded child-care, increases in the parental allowance and "parental allowance Plus", and improvement in family care work periods.

Women in mini-jobs

87. The Federal Employment Agency's statistics (for reasons of method, the data deviate from survey data in the microcensus/labour force survey) allow a distinction to be made for low-wage employment between people with a mini-job only (no full-time job subject to compulsory social insurance) and those with a mini-job on the side (in addition to a full-time job subject to compulsory social insurance). Data by age are provided in the Annex, Table 8.

88. The number of women in low-wage marginal employment (mini-jobs) has roughly remained unchanged since 2010 (2010 and 2015: about 4.5 million). Underlying this development, however, are two contradictory trends: The number of women exclusively in mini-jobs decreased from 3.4 million in 2010 to 3.1 million in 2015. In contrast, the number of women pursuing a mini-job in addition to full-time work subject to compulsory social insurance rose (2010: 1.1 million; 2015: 1.4 million) [cf. Annex Tab. 9]. Between June 2010 and June 2015, the number of women employed in jobs subject to compulsory social insurance in Germany increased by 9 per cent (from 15.1 million to 16.5 million).

89. Holding multiple mini-jobs (low-wage and temporary employment) is uncommon. In 2015, 210,000 women held one mini-job in addition to at least one other [cf. Annex, Tab. 10].

90. By nature, mini-jobs are not intended to cover a worker's full cost of living.

91. Mini-jobbers often have social insurance, e.g. via a full-time job, through unemployment or as pensioners. Many also have health insurance in the form of a family insurance policy or as university students.

92. Provisioning for old-age was improved by the introduction on 1 January 2013 of compulsory insurance under the statutory pension insurance scheme for newly established mini-jobs. However, mini-jobbers can apply for exemption.

93. The federal Government's goal is to facilitate the transition from mini-jobs, i.e. low-wage marginal employment, to regular work subject to compulsory social insurance.

94. According to present findings, introduction of the statutory minimum wage in early 2015 has helped to transform mini-jobs into regular full-time employment. Initial evaluations by the Institute for Employment Research show that the number of employees exclusively in low-wage mini-jobs decreased more than usual from December 2014 to January 2015, namely by 160,000. Furthermore, at the same time, 100,000 people exclusively in mini-jobs transitioned into jobs subject to compulsory social insurance, i.e. twice as many as in the same period the year before.

95. Public Employment Services likely contributed to this trend through its referral activity. Job centres and employment agencies also have widespread access to experiences gained by the Federal Employment Agency in local projects on how to best support employable persons eligible for benefits in their transition from mini-jobs to work subject to compulsory social insurance.

96. Overall, however, it is evident that a transition to employment subject to compulsory social insurance may only be attractive to a portion of mini-jobbers. Many holding only a mini-job cannot work more because of other obligations. Similarly, anything more than a mini-job is unattractive to schoolchildren, university students and pensioners, who make up the majority of all mini-jobbers.

Further measures for promoting female employment

97. The federal Government supports women in re-entering the labour market through the ESF model programme "Prospects for Returning to Work," launched in 2009. This programme supports qualified women in returning to a job subject to compulsory social insurance after interrupting their career to start a family. The Federal Employment Agency (BA) additionally has compiled the most successful modules into a continuous labour market programme and incorporated it into its regularly supported schemes.

98. The federal Government on 1 August 2013 set a milestone in need-based child day care by introducing a legal right to early childhood education for all children as of age one. The massive increase in day care places for children under three is largely due to government funding and the expanded efforts of the Länder. The number of children under three in day care more than doubled from 2007 to 2015. The federal Government injected a total of 5.4 billion euros into expansion through 2014 and has provided 845 million euros a year since 2015.

99. To cover the rising demand for day care places, the federal Government will increase funding for further expansion of child day care during this legislative period by 550 million euros to 1 billion euros. The Länder will additionally receive 100 million euros in support for operating costs in 2017 and 2018.

100. Furthermore, the quality of child day care programmes is to be further enhanced. The federal Government and the Länder reached an agreement on 6 November 2014 on a binding process for developing common quality targets in child day care, which will be supported by the central associations of the local authorities and in dialog with the associations and organizations responsible for child day care. The first implementation status report is due in late 2016.

101. As part of the federal Government's demographic strategy, Working Group F "Civil service as an attractive and modern employer" adopted and published a recommendation for action for government offices in autumn 2015 on the topic of "Part-time managers — Real management part-time or via job-sharing". It is designed to increase the acceptance of models for part-time managers and describes the legal framework and options for implementation. It further includes practical examples to support government offices.

102. The ESF programme "Strong Careers — Mothers With a Migration Background Start Out" helps mothers with a migration background to return to, or enter, employment, and provides career orientation. Migrant mothers, including those granted asylum and asylum-seekers with good prospects for obtaining residency — receive individual counselling, further education as part of existing employment promotion programmes, and referral to jobs or training. The programme will receiving funding initially for four years as of 2015 from the European Social Fund (ESF) amounting to 17.2 million euros for 90 locations nationwide, each of which has established a collaboration project with a local job centre or employment agency. The programme reached 3,500 mothers in the first 1.5 years. According to analysis of the 2006-2014 microcensus, employment of migrant mothers increased from 44 per cent in 2006 to 52 per cent in 2014.

103. Evaluations of the parental allowance show that fathers on parental leave support their partners in returning earlier to gainful employment. In particular, the "parental allowance Plus" and its partnership bonus strengthen the partnership-based reconcilability of work and family life, where both parents support one another in these areas.

104. As of 1 January 2015, the tax exemption for single parents was increased by 600 euros from 1,308 euros to 1,908 euros. Newly introduced was a graded tax exemption amount. Starting with the second child and each one thereafter, the exemption increases by 240 euros per additional child. The amount is designed to be tax-free. It reduces the basis for tax assessment, thus leaving a single parent with a higher net income. This exemption is — as shown by the results of an overall evaluation of marriage- and family-based benefits — highly efficient. It reaches 1.1 million households, effectively relieves single parents and increases the attractiveness of gainful employment.

105. Other improvements benefitting single parents: Tax-free allowances for children (child allowance; allowance for care, child-raising and education to the unchanged amount of 2,640 euros) increased in total for each pair of parents from

7,008 euros to 7,152 euros in 2015 and from 7,152 euros to 7,248 euros in 2016. Because not all parents benefit from increasing the child allowance, the child benefit was also raised accordingly.

106. The monthly child benefit as of 2015 was 188 euros each for a first and second child, 194 euros for a third and 219 euros for each additional child. The monthly child benefit as of 2016 is 190 euros each for a first and second child, 196 euros for a third and 221 euros for each additional child.

107. Furthermore, the supplementary child allowance was improved, which prevents families with low income from being dependent only because of their children on benefits for securing subsistence under the German Social Code, Book II (SGB II). The supplementary child allowance was increased as of 1 July 2016 by 20 euros to 160 euros per month. This increase ensures that some 45,000 children and their parents can live independently of the benefits of basic income support (SGB II).

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108. On 18 June 2015, the German Bundestag adopted the Law for the Strengthening of Health Promotion and Prevention. It extends Vol. 5 of the Social Code (SGB V) — Statutory Health Insurance to include sect. 2b SGB V, which states: "A gender perspective is to be taken into account benefits provided by statutory health insurance funds". For all the benefits provided by them, not only in prevention and health promotion, but also in diagnosing and treating diseases, the statutory health insurance funds must give consideration to relevant gender-specific research results and incorporate them into benefit development.

109. The Federal Centre for Health Education (BZgA) promotes a holistic approach to sexuality education based upon the understanding that sexuality education is age- and development-appropriate, rights-based and includes scientifically accurate information. This understanding serves as the foundation for various national and international framework documents which BZgA has developed in the field of sexuality education. One example is the "Standards for Sexuality Education in Europe" (2010), developed together with the WHO Regional Office for Europe. Sexuality education in school is the responsibility of the Länder (Ministries of Education), curricula for sexuality education in schools are developed by the Länder themselves. In all curricula and respective syllabuses, there are gender-sensitive approaches (including with questions about gender roles and equality).

110. The Law on the Equal Participation of Women and Men in Leadership Positions (cf. para. 14) also applies to healthcare companies meeting the requirements.

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111. In the first half of 2016, 396,947 persons applied for asylum (main countries of origin: Syria: 171,488; Afghanistan: 60,611; Iraq: 56,540). About a third of these were female, two-thirds male. The following data on gender-related persecution are available for 2016: In the first half of 2016, the Federal Office of Migration and

Refugees decided in 2,463 cases to grant refugee protection as per sect. 3, para. 1 Asylum Law (AsylG) on account of gender-related persecution. The main countries of origin were Syria (961), Iraq (526) and Afghanistan (241).

112. The Länder and municipalities are responsible for providing arriving refugees with room and board, and many of them have launched their own programmes for protecting, advising and integrating refugee women and children. BMFSFJ supports the Länder and municipalities in ensuring effective protection of women and children in refugee shelters and elsewhere, and successfully integrating refugee women. To do so, it is implementing a concept for the protection and integration of refugee women and their children that combines the following measures, among others: Cf. response above and www.bmfsfj.de/BMFSFJ/gleichstellung,did=226884.html.

113. BMFSFJ further funds the expansion of programmes in torture victim centres for coping with traumatic experiences. In this context, the needs of women who have experienced sexualized violence or violence caused by torture and persecution are given particular consideration.

114. The support hotline "pregnant and in need" (+49 800 4040020) and the website www.schwanger-und-viele-fragen.de provide counselling to pregnant refugee women in emergency situations. The service is at no charge, confidential, barrier-free and available around-the-clock in 15 languages. BMFSFJ, together with donum vitae Bundesverband e. V., launched a three-year model project on 1 May 2016 to specifically support pregnant refugees. Through outreach pregnancy (conflict) counselling at up to 30 locations, the project aims to inform refugee women of the programmes offered by German pregnancy counselling services and provide them with low-threshold access to the women's support system.

115. Through the ESF programme "Strong Careers – Mothers with a Migration Background Start Out", BMFSFJ supports the employment of mothers with a migration background (see also Para. 15). BMFSFJ, with various cooperation partners (Federal Employment Agency, BAMF, *Land* Berlin, management/labour groups), is planning an equal opportunity model programme for the early integration of refugee women into the labour market with a special focus on unaccompanied women, which via diverse components will meet the special needs of this target group. The model project is to be launched by the end of the year in Berlin.

116. To promote the participation and integration of migrant and refugee women, BMFSFJ supports DaMigra, the first umbrella organization of migrant women in Europe for all nationalities (see also response Para. 19).

117. The European Academy for Women in Politics and Business Berlin (EAF) is launching workshops in October and November 2016 entitled "It's our turn. Politics needs diversity. Politics needs you!" each for 20 young women with and without a migration and/or refugee background. Half of the places are to be offered to refugee women with knowledge of English. The idea is to strengthen young women in their political and social involvement and, in so doing, contribute to successful integration.

118. To enable early access to integration programmes, federal Government integration offers were opened to asylum-seekers with good prospects for obtaining residency. This group now has access to integration courses (600-hour language

course, orientation class increased from 60 to 100 hours) and migration counselling even during the asylum procedure. The low-threshold women's classes have also been opened. As an entry-level offer, they lead to more advanced integration and counselling programmes und introduce participants to society in Germany, strengthening women in fulfilling their role as the link between family and society. The community-oriented integration projects similarly are to be opened soon. Asylum-seekers and those with temporary suspension of removal who do not have good prospects for obtaining residency, are not offered integration programmes, but rather other options, such as in the form of sports and exercise in the "Integration Through Sports" programme. Additionally, an initial orientation model is to be tested with this group of persons through early 2017 to impart everyday coping skills and educate them about our society's values and norms. Sect. 5, para. 2, of the Ordinance on Integration Courses further sets forth that the equal participation of women in integration courses must be ensured. Child care during course time will also be possible again as of 1.1.2017.

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119. The federal Government's National Action Plan 2.0 in response to the Convention on the Rights of Persons with Disabilities includes a separate field of action for "Women with disabilities". The programmes focus on representing the interests of women with disabilities, strengthening their participation opportunities in sheltered workshops and strengthening protection against violence.

120. Building on the results of the pilot project "Women's Representatives in Homes and Workshops for People with Disabilities" (October 2008 to May 2011), BMFSFJ funded a project through 30 September 2016, with financial contributions from a total of 10 Länder, to educate trainers of institutional women's representatives. The project "Women's Representatives in Institutions: An idea catches on", aims to install women's representatives in institutions providing assistance to people with disabilities on a widespread basis. The trainers (two tandem teams from each participating *Land*) are to act as multipliers and, in turn, train women's representatives in sheltered workshops and homes for people with disabilities. At the project's conclusion, over 70 new women's representatives will take up their work in institutions nationwide.

121. Nevertheless, it is apparent that a tremendous need for action still exists. Therefore, in the upcoming years, the presence of women's representatives in institutions for people with disabilities is to be expanded nationwide, and the work of those already in positions supported and stabilised. The pending amendment of the "Workshop Participation Ordinance", which will establish women's representatives in all sheltered workshops presumably as of 2017, is an important step on the legislative level. Concrete implementation in institutions requires support that further advances previous practical experience, and pools and effectively represents the interests of women's representatives. This is to be ensured by establishing a nationwide network of women's representatives in institutions. The project is set to run for three years from 1 October 2016. All three projects were and are conducted under the sponsorship of the Weibernetz e. V. association.

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122. Cf. responses above.

123. The umbrella organization DaMigra was founded in September 2014. BMFSFJ for many years assisted in its establishment — the only organization in Germany to represent migrant women across all nationalities, parties and religions — for instance by holding two, nationwide congresses on migrant women. The founding and establishment of this organization were supported with start-up financing from October 2013 through September 2016 from BMFSFJ and — to a lesser percentage — the Federal Office for Migration and Refugees (BAMF). Since its beginnings, DaMigra has become very well established for promoting the legal, political and social equality of migrant women. It pursues two areas of action:

(a) Representing migration- and women-specific issues on the federal level and serving as a contact for the political community, media and general public;

(b) Networking, qualifying and supporting organizations for migrant women.

124. DaMigra today has become a regular contact for federal and state political decision-makers on migration and women's issues, e.g. for talks at the Federal Chancellery, Federal Foreign Office and with the migration commissioners. Continued funding is granted until September 2019. The federal Government still sees no necessity in signing and ratifying the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The principal reasons were explained previously in a declaration in 1990 for the acceptance of the Convention at the United Nations General Assembly, and continue to remain unchanged. Basic human rights already are set forth in the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which also apply to migrant workers in the territories of these States. Furthermore, in the opinion of the federal Government, the term "migrant worker" used in the Convention is not sufficiently differentiated. It includes persons residing and working in Germany without permission. Their position is protected in a way that goes far beyond the undisputed requirement to grant them all human rights.

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125. The Maintenance Law reform of 2008 was particularly intended to strengthen the position of minor children and, in relation to post-marital maintenance, underline the principle of self-reliance of both spouses. It has since been determined that these objectives have been achieved.

126. An actual evaluation of this reform has not been conducted, and is not necessary at present. The responsible staff of the competent federal Government department is in continuous contact with practitioners. Established discussion forums exist both with representatives of the judiciary and with legal practitioners, in which the impacts of the reform of 2008 are continually evaluated. Furthermore, many citizens contact the BMJV with petitions concerning maintenance law. This indicates that the principle of self-reliance in establishing post-marital maintenance is implemented responsibly.